

REMARKS

The Examiner asserted that the patent application contains claims directed to the following patentably distinct subcombinations of the claimed invention:

- Group I: Claims 1-43, drawn to a system for information distribution comprising a request subsystem and a response subsystem, classified in class 707, subclass 04.
- Group II: Claims 44-55, drawn to a system for information distribution comprising a database structure, a server configured to receive a request and software application providing for comparing said search attribute with said listing attributes associated with said listings, classified in class 707, subclass 03.
- Group III: Claims 56-61, drawn to a method for transmitting information in the form of a response to a request, calculating a position adjustment factor, classified in class 705, subclass 37.

In response to the Examiner's Restriction Requirement, Group III is elected for examination, with traverse. Further, Applicants' claims are amended as set forth above, certain claims are canceled, and new claim 62 is added.

Further, given the overlap in subject matter amongst all three claim groups, it is Applicants' position that all three groups should be examined at the same time. Moreover, it is respectfully submitted that the subject matter of all sub-combinations is sufficiently related that a thorough search for the subject matter of one of the species would encompass a search for the subject matter of the other species. See MPEP § 803, which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). This policy should apply in the present application to avoid unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office

CONCLUSION

All rejections have been addressed. In view of the above, the presently pending claims are believed to be in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested and the Examiner is respectfully requested to pass this application to issue. It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 18-0013, under Order No. 66703-0016. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136(a) is hereby made, the fee for which should be charged against the aforementioned account.

Dated: June 12, 2008

Respectfully submitted,

Electronic signature: /Charles A. Bieneman/

Charles A. Bieneman

Registration No.: 51,472

Michael B. Stewart

Registration No.: 36,018

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 10291

Attorneys for Applicant